

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on Wednesday, 15 November 2017 at 9.30 am.

PRESENT

Councillors Ellie Chard, Ann Davies, Meirick Davies, Peter Evans, Alan James (Vice-Chair), Brian Jones, Huw Jones, Tina Jones, Gwyneth Kensler, Christine Marston, Bob Murray, Merfyn Parry, Peter Scott, Tony Thomas, Julian Thompson-Hill, Joe Welch (Chair), Emrys Wynne and Mark Young

Observers: Councillor Bobby Feeley, Councillor Huw Hilditch-Roberts, Councillor Arwel Roberts, Councillor Glenn Swingle, Councillor Rhys Thomas and Councillor Eryl Williams

ALSO PRESENT

Team Leader – Places Team (SC), Development Manager (PM), Principal Planning Officer (IW), Senior Engineer – Highways (MP), Strategic Planning & Housing Manager (AL), Planning Officer (DS), and Committee Administrator (SLW)

1 APOLOGIES

Apologies for absence were received from Councillor Pat Jones

2 DECLARATIONS OF INTEREST

No declarations of interest.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters.

4 MINUTES

The minutes of the Planning Committee meeting held on 11 October, 2017 were submitted.

Councillor Meirick Lloyd Davies asked Councillor Christine Marston for an explanation as to why he would need to declare an interest in the Waen Chapel car park application.

Councillor Marston explained she had thought the Elizabeth Williams Trust worked within the local community and Waen Chapel.

RESOLVED that the minutes of the meeting held on 11 October 2017 be approved as a correct record.

APPLICATIONS FOR PERMISSION FOR DEVELOPMENT (ITEMS 5-15)

Applications received requiring determination by the Committee were submitted together with associated documentation. Reference was also made to late supplementary information received since publication of the Agenda which related to particular applications. In order to accommodate public speaking requests, it was agreed to vary the Agenda order of applications accordingly.

5 APPLICATION NO. 16/2017/0628/PF - TYN Y CELYN, LLANBEDR DYFFRYN CLWYD, RUTHIN

An application was submitted for the demolition of existing dwelling and outbuildings and erection of a replacement dwelling at Tyn y Celyn, Llanbedr Dyffryn Clwyd, Ruthin.

Public Speaker –

Berwyn Owen (**For**) – stated the applicants were a local family with four young children under 8 years of age. The property had been purchased approximately 1 year previously from Denbighshire County Council. The building was not listed and was of low historic importance or archaeological interest. The applicants had obtained 2 separate structural reports which demonstrated the poor condition of the existing building and it had been clear from a structural perspective, demolition and rebuilding would be the only option.

General Debate – The Development Manager informed Members of the additional information contained within the late supplementary information (blue sheets).

The Local Member, Councillor Huw Williams expressed his support of the application as the existing building had no historic value.

It was confirmed that a site visit had recently taken place and the new build would be an asset to the community. On the sale of the existing building there had been no conditions included but it was now shown that the building was not of historic importance and no archaeological interest in the property.

Members had questioned the fact there was no report included from a Building Control Officer. It was confirmed that the Council's Conservation Officer, who is a qualified Building Surveyor, had assessed the proposal.

Proposal – Councillor Merfyn Parry proposed, seconded by Councillor Emrys Wynne, that the application be granted against officer recommendation on the grounds the house was not of historic value and the new house would be up to 21st century construction standards.

VOTE:

GRANT (to demolish and rebuild) - 14

ABSTAIN - 2

REFUSE – 2

RESOLVED that permission be **GRANTED** against officer recommendation on the grounds the house was not of historic value and the new house would be up to 21st century construction standards.

6 APPLICATION NO. 18/2017/0936/PF - 2 PENYGROES, LLANDYRNOG, DENBIGH

An application was submitted for the erection of extension and alterations to the dwelling at 2 Penygroes, Llandyrnog, Denbigh.

Public Speaker –

Andrew Raven (**For**) – stated he, his wife and son had bought the property six months previously and considered themselves to be part of the local community. The energy efficiency of the property needed to be improved as the EPG rating was “G”. The first floor extension would alleviate problems caused by a leak from the roof in the single storey extension and also space was an issue for the family. The plans had been amended since a previous application and neither of the neighbours directly attached to the left and right of the property had put in any objections.

General Debate – the Local Member, Councillor Merfyn Parry expressed his support of the application. He stated prior to the applicant purchasing the property, it had stood empty for approximately 7 years. He confirmed the applicant had amended the design of the extension and he was in favour of the application.

It was confirmed by the Planning Officer the recommendation for refusal was based on the potential impact the proposed extension would have on the 2 neighbouring properties. The 45° rule had been applied in the assessment which showed an overbearing impact on Nos 1 and 3 Penygroes. The applicant themselves had supplied a sun study to help assess impacts.

The Local Member again offered his support to the application and stated that the design had included the lowering of the height of the roof to the extension to reduce shadow.

Proposal – Councillor Merfyn Parry proposed, seconded by Councillor Peter Evans that the application be granted against officer recommendation.

VOTE:

GRANT - 6
ABSTAIN - 0
REFUSE - 11

RESOLVED that the application be **REFUSED** in accordance with officer recommendation.

7 APPLICATION NO. 45/2017/0677/PF - 50 BATH STREET, RHYL

An application was submitted for change of use of dwelling to family assessment centre, incorporating four units of temporary accommodation at 50 Bath Street, Rhyl.

Public Speaker –

Karen Wareing (**For**) – stated that North Wales did not have a family assessment centre. The aim was to prevent children entering into the care system, reducing the cost of repeated intervention. Priorities would be given to local residents with the centre being staffed 24 hours a day 7 days per week and would have cctv. The facility would be regulated and inspected by CSSIW. Employment would be brought to the area.

General debate – both the Chair and the Development Manager emphasised that Members would need to focus on planning reasons for the application.

Lead Members, Councillor Huw Hilditch-Roberts (Lead Member for Education, Children and Young People) and Councillor Bobby Feeley (Lead Member for Wellbeing and Independence) spoke against the proposal advising that they saw no need for the facility.

The Local Member, Councillor Tony Thomas, gave an overview of the facility and the need for the units. He stated that there had been no objections received from the Police, Rhyl Town Council or CSSIW.

The Development Manager stated that as the change of use of the dwelling to a family assessment centre would result in the loss of a single occupancy dwelling, this would have a detrimental impact on the housing mix in the area. The location of the additional support service use within an area of Rhyl already containing a number of such uses would have a negative cumulative impact on the character of the area.

Proposal - Councillor Meirick Lloyd Davies proposed, seconded by Councillor Huw Jones, that the application be refused in accordance with officer recommendation.

VOTE:

GRANT – 6

ABSTAIN – 1

REFUSE – 11

RESOLVED that permission be **REFUSED** in accordance with officer recommendation.

At this juncture (10.50 a.m.) there was a 20 minute break.

Meeting reconvened at 11.10 a.m.

8 APPLICATION NO. 01/2016/1165/PF - FORMER WOOL DEPOT, GROVE ROAD, DENBIGH

An application was submitted for change of use of land for the siting of storage units, and site office at the Former Wool Depot, Grove Road, Denbigh.

General debate - the Local Member expressed her concerns regarding the utilisation of the site for storage units in particular the possibility of accidents due to the increase in amount of traffic in close proximity to the site following the recent opening of the retail park. The Local Member also expressed concerns regarding the parking of delivery vehicles and ambulances at nearby Llys Meddyg. The Middle Lane Development which was to be supported housing would also add to the increase in traffic to the area.

During discussion, the following points were raised:

- The close proximity of the storage units to the surrounding homes would cause a noise issue, together with the increased number of vehicles utilising the site. Due to the issues, the location of the site would not be conducive to the area.
- The use would be low key and members were assured they had power to include hours of operation of the site as a condition to any permission.
- The site had, in the past, been earmarked for residential development but had been turned down based on advice from Natural Resources Wales due to flooding issues. This had an impact on the future use of the site.
- The Senior Engineer, Highways, confirmed a traffic assessment had been completed and there were no concerns on highways grounds.

Proposal – Local member, Councillor Gwyneth Kensler proposed, seconded by Councillor Merfyn Parry that the application be refused contrary to officer recommendation.

VOTE:

GRANT – 11

ABSTAIN – 0

REFUSE – 7

RESOLVED that permission be **GRANTED** in accordance with officer recommendation.

9 APPLICATION NO. 09/2017/0887/PC - 2 TY CLWYD, CHAPEL LANE, BODFARI

An application was submitted for change of use and alterations of detached ancillary accommodation building to form a holiday let (retrospective application) at 2 Ty Clwyd, Chapel Lane, Bodfari, Denbigh.

General debate – the Local Member, Councillor Merfyn Parry expressed his concerns that the application put forward was a retrospective application. He also stated he had concerns on highway safety grounds as vehicles would need to reverse on to the highway. Due to this, the Local Member requested that an additional condition be added for a turning area to be provided on the land.

Officers confirmed that the building would be restricted to be use as holiday accommodation only and could not be occupied as a person's sole or main place of residence. An up to date register would be kept containing details of the names of all the users of the accommodation, their main home addresses and their date of arrival and departure from the accommodation. The register would be made available for inspection by the Local Planning Authority upon request.

Proposal – Local member, Councillor Merfyn Parry proposed, seconded by Councillor Bob Murray that the application be granted but with the inclusion of an additional condition of a turning area be installed on the land on highways safety grounds.

VOTE:

GRANT (to include additional condition) – 16

ABSTAIN – 0

REFUSE – 2

RESOLVED that permission be **GRANTED** in accordance with officer recommendation subject to an additional condition for a turning area to be installed on the land on highways safety grounds.

10 APPLICATION NO. 10/2017/0330/PO - LAND AT BROOKLYN, BRYNEGLWYS, CORWEN

An application was submitted for development of 0.18ha of land by the erection of 6 dwellings (outline application with details of access) at land at Brooklyn, Bryneglwys, Corwen.

General Debate – during discussion, the following points were raised:

- The wording of condition no. 11 “All signage within the site shall be in both Welsh and English” was queried. It was clarified that this referred to the marketing signs and marketing material for the development. The final street names would be in the Welsh language. It was confirmed the condition would be re-worded for clarification.
- The number of dwellings to be built of the plot was queried. It was confirmed that the outline application was for a “minimum” of 6 dwellings.

Proposal - Councillor Meirick Lloyd Davies proposed, seconded by Councillor Mark Young to grant the outline application subject to the re-wording of condition no. 11.

VOTE:

GRANT (including re-wording of condition no. 11) – 18

ABSTAIN – 0

REFUSE – 0

RESOLVED that permission be **GRANTED** in accordance with officer recommendation subject to the re-wording of condition no. 11 to be “all marketing signage within the site shall be in both Welsh and English”.

11 APPLICATION NO. 12/2017/0015/PO - LAND ADJOINING CRUD YR AWEL, CLAWDDNEWYDD, RUTHIN

An application was submitted for the development of 0.49 hectares of land (outline application including means of access) at land adjoining Crud Yr Awel, Clawddnewydd, Ruthin.

General debate – during debate, the following points were raised:

- A site visit had taken place which had assessed the concerns regarding the proximity of the sewage works to the site.
- The wording of condition no. 11 “All signage within the site shall be in both Welsh and English” was queried. It was clarified that this referred to the marketing signs and marketing material for the development. The final street names would be in the Welsh language. It was confirmed the condition would be re-worded for clarification.

Proposal - Councillor Mark Young proposed, seconded by Councillor Ellie Chard to grant the outline application subject to the re-wording of condition no. 11.

VOTE:

GRANT (including re-wording of condition no. 11) – 18

ABSTAIN – 0

REFUSE – 0

RESOLVED that permission be **GRANTED** in accordance with officer recommendation subject to the re-wording of condition no. 11 to be “all marketing signage within the site shall be in both Welsh and English”.

12 APPLICATION NO. 12/2017/0638 - LAND ADJACENT TO TELEPHONE EXCHANGE, CLAWDDNEWYDD

An application was submitted for the development of 0.2ha of land for a residential development of a minimum of 5 dwellings (outline application including access) at land adjacent to Telephone Exchange, Clawddnewydd, Ruthin.

General Debate: The wording of condition no. 11 “all signage within the site shall be in both Welsh and English” was queried. It was clarified that this referred to the marketing signs and marketing material for the development. The final street names would be in the Welsh language. It was confirmed that the condition would be re-worded for clarification.

Proposal - Councillor Meirick Lloyd Davies proposed, seconded by Councillor Ellie Chard to grant the outline application subject to the re-wording of condition no. 11.

VOTE:

GRANT (including re-wording of condition no. 11) – 18

ABSTAIN – 0

REFUSE – 0

RESOLVED that permission be **GRANTED** in accordance with officer recommendation subject to the re-wording of condition no. 11 to be “all marketing signage within the site shall be in both Welsh and English”.

13 APPLICATION NO. 40/2017/0812/PF - BODELWYDDAN HOUSE, THE VILLAGE, BODELWYDDAN

An application was submitted for raising of boundary wall, new automated gates and fencing (partly retrospective) at Bodelwyddan House, The Village, Bodelwyddan, Rhyl.

General Debate – the Development Manager informed Members that the application was partially retrospective as the boundary fence had already been erected. The Local Authority were taking enforcement action as the fence was not in keeping with the visual amenity of the area and detracted from the overall character of the conservation area.

It was clarified by the Development Manager that as an enforcement notice had been served upon the applicant, a split decision was now being suggested. Therefore, the vote would be to approve the boundary wall and gates and refuse the fencing.

Proposal – Councillor Alan James proposed, seconded by Councillor Bob Murray to part grant and part refuse in accordance with officer recommendation.

VOTE:

GRANT Wall and Gate and REFUSE Fence – 18

ABSTAIN – 0

REFUSE ALL – 0

RESOLVED that permission be **GRANTED** for the Wall and Gates and **REFUSED** fence in accordance with officer recommendation.

14 APPLICATION NO. 40/2017/0813/LB - BODELWYDDAN HOUSE, THE VILLAGE, BODELWYDDAN

An Listed Building application was submitted for raising of boundary wall, new automated gates and fencing (partly retrospective) at Bodelwyddan House, The Village, Bodelwyddan, Rhyl.

General Debate – the Development Manager again informed Members that the Listed Building application was partially retrospective as the boundary fence had already been erected. The Local Authority were taking enforcement action as the fence was not in keeping with the visual amenity of the area and detracted from the overall character of the conservation area.

It was clarified by the Development Manager that as an enforcement notice had been served upon the applicant, a split decision was now recommended. Therefore, the vote would be to approve the boundary wall and gates and refuse the fencing.

Proposal – Councillor Alan James proposed, seconded by Councillor Bob Murray to part grant and part refuse in accordance with the revised officer recommendation.

VOTE:

GRANT Wall and Gate and REFUSE Fence – 18

ABSTAIN – 0

REFUSE ALL – 0

RESOLVED that Listed Building permission be **GRANTED** for the Wall and Gates and **REFUSED** fence in accordance with officer recommendation.

15 APPLICATION NO. 45/2017/0795/PC - 58 QUEEN STREET, RHYL

An application was submitted for change of use from arcade to a health club (retrospective application) at 58 Queen Street, Rhyl.

Proposal – Councillor Alan James proposed, seconded by Councillor Mark Young that the application be granted in accordance with officer recommendation.

VOTE:

GRANT – 17

ABSTAIN – 0

REFUSE –

RESOLVED that the application be **GRANTED** in accordance with officer recommendation.

16 DRAFT LOCAL DEVELOPMENT PLAN REPORT, DRAFT REPLACEMENT LDP DELIVERY AGREEMENT AND SUSTAINABILITY APPRAISAL SCOPING REPORT

Councillor Brian Jones, Lead member for Highways, Planning and Sustainable Travel, introduced the report.

Following approval to consult via a Lead Member delegated decision, published on 7 August 2017, a nine week consultation had been carried out between 21 August 2017 and 20 October 2017.

The Denbighshire Local Development Plan 2006-2021 is a strategic document, and is a key delivery vehicle for the Corporate Plan and a number of other Council strategies such as the Community and Economic Ambition Strategy and the Housing Strategy.

Discussion took place and following a unanimous show of hands it was

RESOLVED that:

- (i) *Members recommend to Full Council approval of the Denbighshire Local Development Plan Review Report and appendices; Draft replacement*

LDP Delivery Agreement, and Sustainability Appraisal (SA) Scoping Report as amended for submission to Welsh Government (attached as Appendix 2).

- (ii) That the Committee confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 3) as part of its consideration.*

The meeting concluded at 1.00 p.m.